

UNITED STATES DISTRICT COURT
District of Minnesota

UNITED STATES OF AMERICA

v.

KANAN T. MUSTAFA

§ **JUDGMENT IN A CRIMINAL CASE**
 §
 §
 § Case Number: **0:14-CR-00261-JRT-BRT(2)**
 § USM Number: **20751-041**
 § **Bruce M Rivers**
 § Defendant's Attorney

THE DEFENDANT:

<input checked="" type="checkbox"/>	pleaded guilty to count(s)	1ss and 3ss of the second superseding indictment
<input type="checkbox"/>	pleaded nolo contendere to count(s) which was accepted by the court	
<input type="checkbox"/>	was found guilty on count(s) after a plea of not guilty	

The defendant is adjudicated guilty of these offenses:

<u>Title & Section / Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18:371, 1029(a)(2) and 2314 CONSPIRACY	12/31/2014	1ss
18:286 CONSPIRACY TO DEFRAUD THE GOVERNMENT WITH RESPECT TO CLAIMS	12/31/2014	3ss

The defendant is sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s)
 Count(s) 2ss is are dismissed on the motion of the United States

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

June 19, 2017

 Date of Imposition of Judgment

s/John R. Tunheim

 Signature of Judge

JOHN R. TUNHEIM
CHIEF JUDGE UNITED STATES DISTRICT COURT

 Name and Title of Judge

June 26, 2017

 Date

AO 245B (Rev. 11/16) Sheet 2 - Imprisonment

DEFENDANT: KANAN T MUSTAFA
CASE NUMBER: 0:14-CR-00261-JRT-BRT(2)

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 130 months:

30 months as to count 1ss; 100 months as to count 3ss Terms to run consecutive.

The court makes the following recommendations to the Bureau of Prisons:
The Court recommends placement in Minnesota or as close to Minnesota as possible.

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ on _____

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 11:00 AM on Monday, July 24, 2017

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By
DEPUTY UNITED STATES MARSHAL

DEFENDANT: KANAN T MUSTAFA
CASE NUMBER: 0:14-CR-00261-JRT-BRT(2)

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of : **three (3) years on each count to run concurrent.**

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
5. You must comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
6. You must participate in an approved program for domestic violence. *(check if applicable)*

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

DEFENDANT: KANAN T MUSTAFA
CASE NUMBER: 0:14-CR-00261-JRT-BRT(2)

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at www.uscourts.gov.

Defendant's Signature _____ Date _____

Probation Officer's Signature _____ Date _____

DEFENDANT: KANAN T MUSTAFA
CASE NUMBER: 0:14-CR-00261-JRT-BRT(2)

SPECIAL CONDITIONS OF SUPERVISION

- a. The defendant shall complete and immediate assessment or participate in a program for substance abuse as approved by the probation officer upon release or relapse during their term of supervised release. That program may include testing and inpatient or outpatient treatment, counseling, or a support group.
- b. The defendant shall participate in a psychological/psychiatric counseling or treatment program, as approved by the probation officer.
- c. If not employed at a regular lawful occupation, as deemed appropriate by the probation officer, the defendant may be required to perform up to 20 hours of community service per week until employed. The defendant may also participate in training, counseling daily job search, or other employment-related activities, as directed by the probation officer.
- d. The defendant shall be prohibited from engaging in employment in the cellular phone industry or from holding employment with access to sensitive personal identifiers, including, but not limited to, credit card information; social security numbers; or business or personal account information or routing numbers, without prior approval from the probation officer.
- e. The defendant shall provide the probation officer access to any requested financial information, including credit reports, credit card bills, bank statements, and telephone bills.
- f. Over the period of incarceration, the defendant shall make payments of either quarterly installments of a minimum of \$25.00 if working non-UNICOR or a minimum of 50 percent of monthly earnings if working UNICOR.

AO 245B (Rev. 11/16) Sheet 5 – Criminal Monetary Penalties

DEFENDANT: KANAN T MUSTAFA
CASE NUMBER: 0:14-CR-00261-JRT-BRT(2)

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments.

	<u>Assessment</u>	<u>JVTA Assessment*</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$200.00		\$.00	\$1,015,901.33

- The determination of restitution is deferred until *An Amended Judgment in a Criminal Case (AO245C)* will be entered after such determination.
- The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

Restitution of \$1,015,901.33, jointly and severally with co-defendants as ordered to:

ASSOCIATED BANK
\$751.83

AT&T
\$184,248.39

BEST BUY
\$42,101.70

CHASE
\$47,138.69

IH MISSISSIPPI VALLEY CREDIT UNION
\$3,600.00

IPAYMENT
\$24,876.28

QDI
\$16,199.30

QPAY
\$40,824.96

SEARS/KMART
\$1,857.56

SPRINT
\$40,982.42

SYNCHRONY FINANCIAL BANK
\$750.85

TARGET
\$51,277.06

T-MOBILE
\$186,732.77

TOTAL MERCHANT SERVICES
\$29,315.06

US BANK
\$60,274.79

VERIZON WIRELESS
\$119,401.33

WALMART
\$165,568.34

* federal agency to be paid after all other victims receive full restitution

Name and Address of Payee	**Total Loss	Restitution Ordered	Priority or Percentage
TOTALS:	\$0.00	\$0.00	0.00%
Payments are to be made to the Clerk, U.S. District Court, for disbursement to the victim.			

- Restitution amount ordered pursuant to plea agreement \$
- The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- The court determined that the defendant does not have the ability to pay interest and it is ordered that:
 - the interest requirement is waived for the fine restitution
 - the interest requirement for the fine restitution is modified as follows:

* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B (Rev. 11/16) Sheet 6 – Schedule of Payments

DEFENDANT: KANAN T MUSTAFA
CASE NUMBER: 0:14-CR-00261-JRT-BRT(2)

SCHEDULE OF PAYMENTS

Having assessed the defendant’s ability to pay, payment of the total criminal monetary penalties is due as follows:

- A Lump sum payments of \$ _____ due immediately, balance due
 not later than _____, or
 in accordance C, D, E, or F below; or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D Payment in equal monthly (e.g., weekly, monthly, quarterly) installments of not less than \$ 50.00 over a period of 3 years (e.g., months or years), to commence 30 days (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant’s ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:
It is ordered that the Defendant shall pay to the United States a special assessment of \$200.00 for Counts 1ss and 3ss which shall be due immediately. Said special assessment shall be paid to the Clerk, U.S. District Court.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons’ Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- Joint and Several
See above for Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate:
- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant’s interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVTA Assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs.

THE UNITED STATES ATTORNEYS OFFICE
DISTRICT *of* MINNESOTA

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Department of Justice

U.S. Attorney's Office

District of Minnesota

FOR IMMEDIATE RELEASE

Friday, June 23, 2017

Three High-Level Members Of The Mustafa Family Crime Organization Sentenced To Federal Prison

Acting United States Attorney Gregory G. Brooker today announced the sentencing of three members of the Mustafa family crime organization for their roles in a multi-million dollar conspiracy to traffic stolen cellular phones and other electronic devices. KANAN T. MUSTAFA, 40, JAMAL MUSTAFA, 45, and NIZAR MOHAMAD MUSTAFA, 26, were sentenced this week before Chief Judge John R. Tunheim in U.S. District Court in Minneapolis, Minn.

"These three brothers were high-level members of the Mustafa Organization," said Acting United States Attorney Gregory Brooker. "The Twin Cities was the hub for their criminal operations, but the organization trafficked in millions of dollars in stolen cell phones and electronics across the nation and overseas. The strategic cooperation and collaborative work of our law enforcement partners, has dismantled this crime ring, and these three defendants, among other co-defendants, will serve lengthy prison sentences."

"Not only did these individuals commit crimes related to the purchase and sale of stolen cellular telephones, they also committed several tax fraud crimes, such as failure to file tax returns, preparation of false W-2s, and filing of false claims for tax refunds. This investigation was truly a coordinated effort by several members of law enforcement and the U.S. Attorney's Office to bring this criminal organization down," stated Acting Special Agent in Charge Hubbard Burgess of the IRS Criminal Investigation, St. Paul Field Office.

"This case is about more than cell phones being stolen. It is about a complex crime ring stealing identities and people's good names for criminal gain," said Saint Paul Police Chief Todd Axtell. "The collaborative work that went into investigating, indicting and bringing these individuals to justice is impressive and will likely prevent much more crime in the future, which will protect others from becoming victims."

According to the defendants' guilty pleas and documents filed in court, from at least 2006 through 2014, KANAN, JAMAL, NIZAR, and other members of the Mustafa family and their associates used stolen identity information and other criminal means to obtain at least \$20 million of cellular telephones and other mobile devices for the purpose of trafficking them throughout the United States and overseas. KANAN, JAMAL, NIZAR, and three other Mustafa brothers owned and operated 13 mobile device stores in the Twin Cities metropolitan area, which were used to buy illegally obtained mobile devices. Members of the Mustafa Organization paid runners to steal mobile devices or obtain them fraudulently using stolen identification documents. They re-sold the stolen phones and tablets for substantial profits that were then distributed among themselves and used to pay for rent, utilities, payroll and other expenses to keep their stores in business and promote the criminal activity.

According to the defendants' guilty pleas and documents filed in court, KANAN, JAMAL, NIZAR, and other members of the Mustafa Organization falsified loan applications and provided false documentation to get loans for vehicles that they used to transport stolen devices and the proceeds of their criminal activity. KANAN, JAMAL, NIZAR, and other members of the Mustafa Organization also made fraudulent credit card transactions to steal from credit card processing companies and used the proceeds to buy more cell phones, to pay operating expenses for the wireless stores, and to fund their personal expenses.

According to the defendants' guilty pleas and documents filed in court, from at least 2010 through 2014, KANAN, JAMAL, NIZAR, and other members of the Mustafa Organization also conspired to defraud the IRS through numerous fraud schemes. For example, the defendants regularly paid themselves in cash, failed to file tax returns, filed false claims for tax refunds, failed to maintain financial business records, and prepared false W-2s or did not prepare W-2s at all.

To date, all 21 members of the conspiracy have entered guilty pleas before Chief Judge John R. Tunheim. Twenty of the 21 defendants have been sentenced.

Assistant U.S. Attorney Karen Schommer and former Assistant U.S. Attorney Steve Schleicher prosecuted this case.

This case is the result of an investigation conducted by the St. Paul Police Department, United States Secret Service, University of Minnesota Police Department, Minnesota Department of Public Safety and Bureau of Criminal Apprehension, Minnesota Financial Crimes Task Force, United States Postal Inspection Service, Internal Revenue Service Criminal Investigations, Homeland Security Investigations, Edina Police Department, Minneapolis Police Department, Plymouth Police Department, Federal Bureau of Investigation, and the United States Marshal's Service.

Defendant Information:

KANAN T. MUSTAFA a/k/a "Kenny," 40
Rosemount, MN

Convicted:

- Conspiracy to Engage in Interstate Transportation of Stolen Goods, 1 count
- Conspiracy to Defraud the Government With Respect to Claims, 1 count

Sentenced:

- 130 months in prison
- Three years of supervised release
- \$1,015,901.33 in restitution

JAMAL TALAL MUSTAFA, a/k/a "Jimmy," 43
Apple Valley, Minn.

Convicted:

- Conspiracy to Engage in Interstate Transportation of Stolen Goods, 1 count
- Conspiracy to Defraud the Government With Respect to Claims, 1 count

Sentenced:

- 87 months in prison
- Three years of supervised release
- \$1,015,901.33 in restitution, \$11,482.00 to the IRS

NIZER M MUSTAFA, a/k/a "Shaggy," a/k/a "Mike," 29
Savage, Minn.

Convicted:

- Conspiracy to Engage in Interstate Transportation of Stolen Goods, 1 count
- Conspiracy to Defraud the Government With Respect to Claims, 1 count

Sentenced:

- 87 months in prison
- Three years of supervised release
- \$1,015,901.33 in restitution, \$32,323.00 to the IRS

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United States Attorney's Office, District of Minnesota: (612) 664-5600



Minneapolis Division

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Mustafa Family Crime Ring Indicted for Using Thousands of Stolen Identities to Steal Cellular Telephones and Tablet Devices Worth Millions of Dollars

Mustafa Family Trafficked Stolen Mobile Devices Throughout United States and Overseas

U.S. Attorney's Office
August 12, 2014

District of Minnesota
(612) 664-5600

United States Attorney Andrew M. Luger today announced the indictment of 20 members of the Mustafa Family (The Organization), a Twin Cities-based criminal organization, for trafficking stolen and fraudulently obtained mobile telephones and tablets. The Organization, led by JAMAL TALAL MUSTAFA, a/k/a "Jimmy," primarily obtained devices by robbery, burglary, identity theft, and contract-fraud schemes. JAMAL MUSTAFA, KANAN M T MUSTAFA, a/k/a "Kenny," NASER MOHAMAD MUSTAFA, a/k/a "Nasty Nas," EDWAN T MUSTAFA, a/k/a "Eddy," NIZER M MUSTAFA, a/k/a "Shaggy," a/k/a "Mike," BILAL MUHAMMED MUSTAFA, a/k/a "Billy," TALAL M MUSTAFA, a/k/a "Tommy," MOISES NAVARRO CAZALES, AHMED RD SUNOQROT, a/k/a "Abu Shanab," CEDRIC CHAPPELL, DEANTRE RICKEY-RENE SQUALLS, BLANYON TOE DAVIES, VICTOR TOMBEKAI DOE, YOLANDA COOMBS, CASWANA MILES, MARCUS PHILLIP COLEMAN, ROBERT RICHARD COLEMAN, DANIELLE YVONNE COLEMAN, MARQUIS TEREILL MAGGIESFIELD, a/k/a "Kenny," and TIARA LIGON, are each charged in U.S. District Court with Conspiracy to Engage in Interstate Transportation of Stolen Goods.

"Identity theft rings are the modern face of organized crime," said U.S. Attorney Luger. "Identity thieves often use fraudulent identities to obtain goods, which they can sell for cash. These defendants are charged with obtaining stolen cell phones through identity theft and fraud, and then selling them for exorbitant profits. It is only through close collaboration and cooperation between each of the law enforcement agencies involved in this case that we are able to stand here today having taken out one of the largest criminal enterprises in the Twin Cities."

St. Paul Police Department Assistant Chief Bill Martinez said: "We want our communities to understand that this isn't just about someone simply swiping the phones we hold in our hands. These are not petty crimes. Those thefts and robberies filtered into other crimes."

United States Secret Service Special Agent in Charge Louis Stephens said: "Today is a very good day for the people of Minnesota. A significant organized crime network is no longer at work. Today's success is the result of the close and collaborative working relationships between local, state and federal law enforcement agencies, and federal prosecutors. When we combine our resources, leverage our various areas of expertise, and work as one, we make big things happen and significant crime is stopped in its tracks."

Minnesota Bureau of Criminal Apprehension Superintendent Wade Setter said: "Today's indictments in this complicated case are truly the product of investigative partnerships. The Minnesota Financial Crimes Task Force worked this case along with the U.S. Secret Service and the St. Paul Police Department in a multi-jurisdictional approach necessary to investigate this type of crime."

University of Minnesota Assistant Vice President and Chief of Police Gregory S. Hestness said: "Last fall a wave of robberies targeted University of Minnesota students and their cell phones in campus area neighborhoods. Officers of the University of Minnesota Police Department worked literally thousands of hours in robbery suppression, and we saw results. However, without addressing the underlying criminal enterprise creating a market for these phones, we were not doing everything possible to protect our students. UMPD was honored to contribute to this critical major investigation. Today's successes are remarkable, but also emblematic of the strong partnership of Minnesota law enforcement at the local, state, and federal levels."

According to the indictment and documents filed in court, from at least 2006 through 2014, JAMAL MUSTAFA directed the Organization to use stolen identity information to obtain cellular telephones and other mobile devices for the purpose of trafficking them throughout the United States and internationally. JAMAL MUSTAFA, KANAN MUSTAFA, NASER MUSTAFA, EDWAN MUSTAFA, NIZER MUSTAFA, BILAL MUSTAFA, TALAL MUSTAFA, and MOISES NAVARRO-CAZALES, owned and operated 13 mobile device stores in the Twin Cities metropolitan area. The Organization used these storefronts to buy devices that they knew had been illegally obtained, including purchasing thousands of cellular phones from runners and other persons who got the phones through robberies, burglaries, shoplifting, and fraud and identity-theft schemes.

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- **TOLENA COOMBS, D.O.B. 2/23/1997 St. Paul, MN Charges: Conspiracy to Engage in Interstate Transportation of Stolen Goods, 1 count**
- **CASWANA MILES, D.O.B. 8/10/1988 Unknown Charges: Conspiracy to Engage in Interstate Transportation of Stolen Goods, 1 count**
- **MARCUS PHILLIP COLEMAN, D.O.B. 11/5/1991 St. Paul, MN Charges: Conspiracy to Engage in Interstate Transportation of Stolen Goods, 1 count**
- **ROBERT RICHARD COLEMAN, D.O.B. 5/3/1984 St. Paul, MN Charges: Conspiracy to Engage in Interstate Transportation of Stolen Goods, 1 count**
- **DANIELLE YVONNE COLEMAN, D.O.B. 12/1/1985 St. Paul, MN Charges: Conspiracy to Engage in Interstate Transportation of Stolen Goods, 1 count**
- **MARQUIS TERELL MAGGIESFIELD, a/k/a "Kenny," D.O.B. 5/9/1986 Unknown Charges: Conspiracy to Engage in Interstate Transportation of Stolen Goods, 1 count**
- **TIARA LIGON, D.O.B. Unknown St. Paul, MN Charges: Conspiracy to Engage in Interstate Transportation of Stolen Goods, 1 count**

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Close

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Plaintiff,

v.

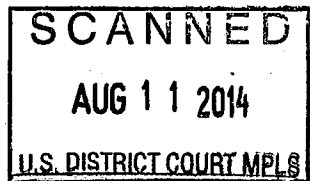
- 1. JAMAL TALAL MUSTAFA,
a/k/a "Jimmy",
- 2. KANAN T. MUSTAFA,
a/k/a "Kenny",
- 3. NASER MOHAMAD MUSTAFA,
a/k/a "Nasty Nas",
- 4. EDWAN T. MUSTAFA,
a/k/a "Eddy",
- 5. NIZER M. MUSTAFA,
a/k/a "Shaggy",
a/k/a "Mike",
- 6. BILAL MUHAMMED MUSTAFA,
a/k/a "Billy",
- 7. TALAL M. MUSTAFA,
a/k/a "Tommy",
- 8. MOISES NAVARRO-CAZALES,
a/k/a "Moises Navarro",
- 9. AHMED RD SUNOQROT,
a/k/a "Abu Hasan",
- 10. CEDERIC CHAPPELL,
- 11. DEANTRE RICKEY-RENE SQUALLS,
- 12. BLANYON TOE DAVIES,
- 13. VICTOR TOMBEKAI DOE,
- 14. YOLANDA COOMBS,
- 15. CASWANA MILES,
- 16. TIARA LIGON,
- 17. MARQUIS TERELL MAGGIESFIELD,
a/k/a "Kenny",
- 18. MARCUS PHILLIP COLEMAN,
- 19. ROBERT RICHARD COLEMAN, and
- 20. DANIELLE YVONNE COLEMAN,

Defendants.

CR 14-261 JRT/JSM

INDICTMENT

- 18 U.S.C. § 371
- 18 U.S.C. § 981(a)(1)(C)
- 18 U.S.C. § 2314
- 21 U.S.C. § 853(p)
- 28 U.S.C. § 2461(c)



THE UNITED STATES GRAND JURY CHARGES THAT:

COUNT 1

(Conspiracy to Engage in Interstate Transportation of Stolen Goods)

At all times relevant to this Indictment:

THE DEFENDANTS AND THEIR ROLES

1. Defendants **JAMAL MUSTAFA, KANAN MUSTAFA, NASER MUSTAFA, EDWAN MUSTAFA, NIZAR MUSTAFA, BILAL MUSTAFA, TALAL MUSTAFA, MOISES NAVARRO-CAZALES** and others (hereinafter the "Mustafa Organization"), owned and operated mobile device stores ("Wireless Stores") in the Twin Cities metropolitan area. The Mustafa Organization regularly transferred inventory and equipment and co-mingled proceeds between their Wireless Stores. The Mustafa Organization conducted criminal activity, including trafficking stolen and fraudulently obtained wireless cellular telephones and tablets (hereinafter "devices"), through and using their Wireless Stores.

2. Defendant **AHMED SUNOQROT** was an associate of the Mustafa Organization who assisted the organization in its criminal activity by, among other things, trafficking in stolen and fraudulently obtained devices and engaging in financial transactions with proceeds of illegal activity.

3. Defendants **CEDRIC CHAPPELL, DEANTRE-RICKEY-RENE SQUALLS, BLANYON TOE DAVIES, VICTOR TOMBEKAI DOE, YOLANDA COOMBS, CASWANA MILES, TIARA LIGON, MARQUIS TERELL**

United States v. Jamal Mustafa, et al.

MAGGIEFIELD, MARCUS PHILLIP COLEMAN, ROBERT RICHARD COLEMAN, and DANIELLE YVONNE COLEMAN, (hereinafter “Runners,”) acquired devices using theft and fraud, and then provided the devices to the Mustafa Organization for their eventual resale.

THE CONSPIRACY

4. From in or about 2006 and continuing through in or about 2014, in the State and District of Minnesota and elsewhere, the defendants,

JAMAL TALAL MUSTAFA,
a/k/a “Jimmy”,
KANAN T. MUSTAFA,
a/k/a “Kenny”,
NASER MOHAMAD MUSTAFA,
a/k/a “Nasty Nas”,
EDWAN T. MUSTAFA,
a/k/a “Eddy”,
NIZER M. MUSTAFA,
a/k/a “Shaggy”,
a/k/a “Mike”,
BILAL MUHAMMED MUSTAFA,
a/k/a “Billy”,
TALAL M. MUSTAFA,
a/k/a “Tommy”,
MOISES NAVARRO-CAZALES,
a/k/a “Moises Navarro”,
AHMED RD SUNOQROT,
a/k/a “Abu Hasan”,
CEDERIC CHAPPELL,
DEANTRE RICKEY-RENE SQUALLS,
BLANYON TOE DAVIES,
VICTOR TOMBEKAI DOE,
YOLANDA COOMBS,
CASWANA MILES,
TIARA LIGON,
MARQUIS TERELL MAGGIESFIELD,
a/k/a “Kenny”,
MARCUS PHILLIP COLEMAN,

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**ROBERT RICHARD COLEMAN, and
DANIELLE YVONNE COLEMAN,**

knowingly and willfully conspired and agreed with each other and with other persons both known and unknown to the grand jury to commit an offense against the United States, that is, to knowingly and intentionally transport and transfer in interstate commerce, goods, wares, and merchandise of the value of \$5000.00 or more, knowing the same to have been stolen, converted, and taken by fraud in violation of Title 18, United States Code, Section 2314.

PURPOSE OF THE CONSPIRACY

5. The purpose of the criminal agreement was to obtain stolen and fraudulently obtained devices in Minnesota and other states, and to sell and transport those devices to buyers for exorbitant profits.

MANNER AND MEANS OF THE CONSPIRACY

6. Members of the Mustafa Organization would purchase goods that they knew had been illegally obtained by the seller, including by purchasing thousands of cellular phones from the Runners and other persons who obtained the phones through and during robberies, burglaries, shoplifting, and fraud and identity theft schemes.

7. Members of the Mustafa Organization would recruit and pay the Runners and other persons to travel in Minnesota and other states to steal and

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fraudulently obtain cellular telephones using stolen personal identity information and false and fraudulent identification documents.

8. At times members of the Mustafa Organization would provide the Runners with stolen identity information, and transport and arrange transportation for the Runners to retail stores to obtain cellular telephones through theft and through false and fraudulent statements and representations.

9. Members of the Mustafa Organization would sell the stolen and fraudulently obtained cellular phones to persons located in Minnesota and other states for substantial profits.

10. Members of the Mustafa Organization would distribute the funds among themselves using jointly accessed bank accounts, or by bartering and exchanging other goods or services.

OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

11. In furtherance of the conspiracy and to effect the objects of the conspiracy, the following overt acts, among others, were committed in the District of Minnesota and elsewhere:

- a. From in or about 2006 through in or about 2014, defendants **JAMAL MUSTAFA, KANAN MUSTAFA, NASER MUSTAFA, EDWAN MUSTAFA, NIZAR MUSTAFA, BILAL MUSTAFA, and**

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TALAL MUSTAFA operated approximately thirteen wireless stores in the Twin Cities area.

- b. From in or about 2006 through in or about 2014, defendants **JAMAL MUSTAFA** and **KANAN MUSTAFA** repeatedly provided Runners and other persons with stolen personal identification information of other individuals and counterfeit identification documents to be used to obtain devices by means of contract fraud with telephone service providers.
- c. From in or about 2006 through in or about 2013, defendants **JAMAL MUSTAFA** and **KANAN MUSTAFA** instructed Runners and other persons to travel to retail stores in Minnesota and other states, to obtain the devices, and then to mail those devices to a business for forwarding to locations outside Minnesota and the United States;
- d. From in or about 2009 through in or about 2014, defendants **NASER MUSTAFA** and **EDWAN MUSTAFA** purchased stolen and fraudulently obtained devices and other electronics;
- e. From in or about 2012 through in or about 2013, defendant **NIZAR MUSTAFA** obtained stolen devices by placing advance orders from a group of shoplifters which stole devices from retailers in Minnesota and other states;
- f. From in or about 2012 through in or about 2013, the group of shoplifters delivered stolen devices across state lines to defendants

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NIZAR MUSTAFA at the Mustafa Organization's Wireless Stores located in St. Paul, Minnesota;

- g. In or about 2013, defendant **BILAL MUSTAFA** provided a Runner with stolen personal identification information of other individuals to be used to conduct fraudulent on-line purchases of iPhones from Apple and Best Buy;
- h. From in or about 2006 through in or about 2014, defendant **TALAL MUSTAFA** received stolen devices from Runners;
- i. From in or about 2006 through in or about 2014, defendants **MOISES NAVARRO-CAZALES** and **AHMED SUNOQROT** received and delivered devices they knew to have been stolen or obtained through fraud to other defendants and persons;
- j. From in or about 2006 through in or about 2014, defendants **MOISES NAVARRO-CAZALES** and **AHMED SUNOQROT** made deposits of checks and currency into bank accounts under the control of members of the Mustafa Organization;
- k. From in or about 2006 through in or about 2014, defendants **CEDRIC CHAPPELL, DEANTRE RICKEY-RENE SQUALLS, MARQUIS TERELL MAGGIEFIELD, MARCUS PHILLIP COLEMAN, ROBERT RICHARD COLEMAN, and DANIELLE YVONNE COLEMAN**, stole and fraudulently obtained devices for

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and at the direction of the Mustafa Organization by using stolen personal identification information;

l. From in or about 2012 through in or about 2013, defendants **BLANYON TOE DAVIES** and **VICTOR TOMBEKAI DOE** obtained devices for the Mustafa Organization by burglarizing Verizon stores; and

m. From in or about 2012 through in or about 2013, defendants **YOLANDA COOMBS, CASWANA MILES** and **TIARA LIGON** stole devices for the Mustafa Organization by shoplifting from retailers in Minnesota and other states.

12. All in violation of Title 18, United States Code, Sections 371 and 2314.

FORFEITURE ALLEGATIONS

13. Count 1 of this Indictment is hereby realleged and incorporated as if fully set forth herein by reference, for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

14. As the result of the offenses alleged in Count 1 of this Indictment, the defendants shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violations of Title 18, United States Code, Sections 371 and 2314.

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15. If any of the above-described forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON

ATLANTA
MIAMI
ORLANDO
ST. PETERSBURG
TALLAHASSEE
TAMPA

WEST PALM BEACH

CARLTON FIELDS

ATTORNEYS AT LAW

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561.659.7368 fax
www.carltonfields.com

October 25, 2006

Bilal Mustafa
15051 December Way
Rosemount, MN 55068

**VIA CERTIFIED MAIL,
RETURN RECEIPT REQUESTED,
AND VIA U.S. MAIL**

Re: Unlawful and Improper Bulk Purchase, Unlocking, and Resale of TracFone
Prepaid Wireless Phones

Dear Mr. Mustafa:

We represent TracFone Wireless, Inc. ("TracFone") with respect to the unlawful and improper bulk purchase, unlocking, and resale of TracFone prepaid wireless telephones.

We have determined that you have engaged in (and/or assisted, aided or abetted others engaged in) a conspiracy involving the unlawful and improper bulk purchasing of TracFone prepaid wireless telephones from retail stores, hacking into and erasing or disabling the TracFone proprietary prepaid software that enables consumers to access TracFone's prepaid wireless service, and reselling the wireless telephones as new for use on other wireless carriers' networks or systems. In fact, we are aware that you have openly admitted to at least one Associated Press Reporter that you are actively engaged in this unlawful practice.

TracFone hereby demands that you immediately cease and desist from all such activities. Your improper conduct has caused substantial financial losses to TracFone, as well as damage to its business reputation and its relations with its customers, and violates numerous state and federal laws. Your misconduct subjects you to liability for, among other things, tortious interference with TracFone's business relationships and prospective advantages, civil conspiracy, damage to TracFone's goodwill and business reputation, federal trademark infringement and unfair competition under the Trademark Act of 1946, as amended, 15 U.S.C. § 1051, et seq., circumvention of technological measures that control access to proprietary software under 17 U.S.C. § 1201 et seq., and trafficking in services that circumvent technological measures protecting proprietary software under 17 U.S.C. § 1201 et seq.

TracFone takes this matter very seriously and will take all action necessary to protect itself and its customers from any further misconduct, including the commencement of a lawsuit against you. TracFone has recently commenced lawsuits in the United States District Court for the Southern District of Florida against two companies and their principals based on this same or

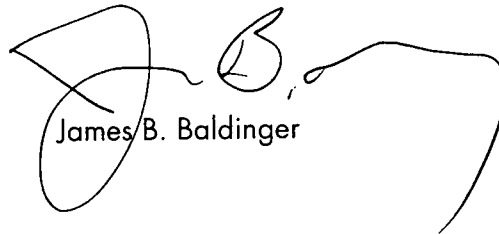
Handset Unlocking Cease and Desist Letter
October 25, 2006
Page 2

similar misconduct. TracFone successfully obtained Final Judgments and Permanent Injunctions in both cases, copies of which are attached to the enclosed complaint for your review. We have recently sued individuals involved with a business enterprise known as "Larry's Cell" in federal court in the United States District Court for the Middle District of Florida. A copy of the complaint is enclosed for your review. We are currently working with federal prosecutors who are contemplating bringing criminal charges against individuals connected with Larry's Cell as well.

TracFone demands that you immediately provide me with written assurance that you have ceased and will not in the future engage in the improper bulk purchase, unlocking, or resale of TracFone prepaid wireless phones for profit, or encourage, hire, or pay others to do so. TracFone reserves the right to take all action necessary to protect itself, including filing litigation against you to recover its damages, costs, and attorneys' fees, and to obtain an injunction against further improper conduct.

You will not receive another warning.

Sincerely,



James B. Baldinger

Enclosures

cc: Richard B. Salzman, Executive V.P. and General Counsel, TracFone Wireless, Inc.
Ovidio Mejia, Fraud and Loss Prevention Director, TracFone Wireless, Inc.
Cindy Talatham, Fraud Investigations Manager, TracFone Wireless, Inc.
Maria C. Montenegro, Esquire